UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

BONNIE KRAMER, ET AL., : CASE NO. 1:07-CV-1040

Plaintiffs,

vs. : OPINION & ORDER

[Resolving Doc. No. 38]

RTA- GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY,

Defendant.

:

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Before the Court is a notice of compliance with this Court's order filed by Plaintiffs Bonnie Kramer ("Kramer") and the Disabled Patriots of America, Inc. ("Disabled Patriots"). [Doc. 44.] On November 20, 2007, the Court notified Plaintiffs of its intent to dismiss the claims of Plaintiff Disabled Patriots with prejudice. [Doc. 42.] The Plaintiffs have informed the Court that they do not oppose the Court's order and therefore now move to voluntarily dismiss Plaintiff Disabled Patriots with prejudice from the case. [Doc. 44.] For all of the reasons stated in its November 20, 2007 opinion and order, this Court therefore **DISMISSES** with prejudice the claims of Plaintiff Disabled Patriots of America, Inc. Plaintiff Disabled Patriots is thereby dismissed from this case and Plaintiff Kramer remains as the sole plaintiff therein.

Accordingly, the Court **GRANTS** in part the Plaintiffs' motion to file a third amended complaint. Plaintiff Kramer may amend the case caption and modify the complaint to narrow the scope of relief sought to remedial measures relevant to discriminatory barriers encountered by

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wheelchair bound individuals with disabilities that are similarly situated to Plaintiff Kramer.

IT IS SO ORDERED.

Dated: November 26, 2007 <u>s/ James S. Gwin</u>

JAMES S. GWIN UNITED STATES DISTRICT JUDGE